

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

Applicant(s): RAMPAL et al.

Docket No.

RLL-170US

Serial No.

09/941,970

Filing Date

August 29, 2001

Examiner

Micah Paul Young

Group Art Unit

1615

Invention: CONTROLLED RELEASE FORMULATION OF ERYTHROMYCIN OR A DERIVATIVE THEREOF+

RECEIVED
CENTRAL FAX CENTER

FEB 03 2004

OFFICIALI hereby certify that this NOTICE OF APPEAL AND EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a)
(Identify type of correspondence)is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-872-9306)on February 3, 2004

(Date)

Kim Campbell

(Typed or Printed Name of Person Signing Certificate)

Kim Campbell

(Signature)

Note: Each paper must have its own certificate of mailing.

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**

Docket No.
RLL-170US

In Re Application Of:

RAMPAL et al.

| Serial No. | Filing Date | Examiner | Group Art Unit |
|------------|-----------------|------------------|----------------|
| 09/941,970 | August 29, 2001 | Micah Paul Young | 1615 |

Invention: CONTROLLED RELEASE FORMULATION OF ERYTHROMYCIN OR A DERIVATIVE THEREOF

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:

William D. Hare
Signature

Dated: February 3, 2004

William Hare, Esq.
Reg. No. 44,739
Ranbaxy Pharmaceuticals, Inc.
600 College Road East, Suite 2100
Princeton, New Jersey 08540
Telephone: (609) 720-5378
Facsimile: (609) 514-9779

Certificate of Transmission by Facsimile*

| | |
|---|--|
| I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-872- (Date) February 3, 2004 9306 | |
| <i>Kim Campbell</i> Signature | |
| Kim Campbell Typed or Printed Name of Person Signing Certificate | |

*This certificate may only be used if paying by deposit account.

Certificate of Mailing

| |
|---|
| I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231. |
| <i>[Signature]</i> Signature of Person Mailing Correspondence |
| <i>[Typed Name]</i> Typed or Printed Name of Person Mailing Correspondence |

CC:

P28LARGE/REV03

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**

Docket No.
RLL-170US

In Re Application Of:

RAMPAL et al.

Serial No.
09/941,970

Filing Date
August 29, 2001

Examiner
Micah Paul Young

Group Art Unit
1615

Invention: **CONTROLLED RELEASE FORMULATION OF ERYTHROMYCIN OR A DERIVATIVE THEREOF**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of August 19, 2003 in the above-identified application.
Date

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **August 19, 2003** finally rejecting Claim(s)

Applicant(s) hereby request(s) an extension of time of (check desired time period):

☐ One month ☐ Two months ☒ Three months ☐ Four months ☐ Five months

from: November 19, 2003 until: February 19, 2004
Date Date

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$320.00

Fee for Extension of Time: \$930.00

TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$1,250.00

The fee for the Notice of Appeal and extension of time is to be paid as follows:

☐ A check in the amount of _____ for the Notice of Appeal and extension of time is enclosed.

☒ Please charge Deposit Account No. **50-0912** in the amount of **\$1,250.00**
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **50-0912**
A duplicate copy of this sheet is enclosed.

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☐ Any patent application processing fees under 37 CFR 1.17.

☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **50-0912** A duplicate copy of this sheet is enclosed.

P29LARGE/REV03